

Weare agricultural Committee

Minutes of meeting October 2, 2007 Approved as amended Oct. 16, 2007

Present: M. Gordon, C. Hague, R. Jones, G. Malette, D. Trumble. Guests: Paul Morin, Weare Planning Board Chairman, ~~John~~ Jack Munn, Southern NH Planning Commission.

Meeting convened at 5:02 PM. The first discussion was of wording for the town sign to advertise a public meeting on October 30.

Action: Chris Hague will fill out sign application and place letters on sign.

Minutes of September 18, 2007 approved.

Cluster development language for proposed Planning Board amendment was reviewed. Paul Morin pointed out that "at the Planning Board's discretion" did not offer any definition. The line reads "A density bonus is available at the Planning Board's discretion for the preservation of all categories of farmland soils whether listed or deemed important by the Planning Board." Melanie Gordon suggested "may be given" as substitute language.

Morin stated that there should be give and taken in the density bonus, as the Board wouldn't want to give a density bonus for nothing. George Malette suggested that there should be a minimum amount or value to make it effective. John Munn recommended that we narrow the language. He said prime farmland soils are of critical concern, and we want to protect soils as well as existing farmland (not included in soils of local importance). The reference for this is NH RSA 21:34.

Discussion was then about how much of the land to be developed merits the density bonus? Use of the yield plan was suggested but thought to be a "difficult tool." ("The bonus will be contingent upon a bona fide yield plan.") A site plan should be sufficient. While the yield plan is used to determine the density of lots it confuses the issue when the only concern is the development of a piece of land. Morin reminded the committee that the yield plan is already required whether it is named in the proposed amendment language or not. Dave Trumble suggested "A bonus will be contingent upon preservation of a substantial proportion of prime farmland soils and/or maintaining existing agricultural practices on the property as shown on the site plan." This would remove "bona fide yield plan." The question was whether this language would allow a density bonus in cases that do not show hardship. Gordon said the bonus should not be automatic but should show that hardship was involved. She suggested, "Applicants shall demonstrate steps that were taken to avoid the development of farmland." The bonus is not mandatory, Trumble stated, except in the conservation overlay. Malette referred to existing language in the conservation overlay district. Munn recommended that our language specify that it applies to the rural agricultural districts.

Morin said the language was unclear in the sentence, "The bonus if granted will be no greater than 20 percent but not less than one lot in any given cluster development."

Bonuses, Munn recommended, should be given on a one-for-one basis. The typical lot size in a cluster is 1 ½ acres. We need to identify land in the rural ag district to see what lots are still undeveloped and how much of that we intend to preserve. Morin recommended a bonus of X% of land if applicants could demonstrate that they earned the bonus. Munn wanted to know what the Planning Board would consider a good incentive for preservation. According to Morin there might have to be an increased incentive.

~~Trumble~~ Morin recommended that language in 30.4.2 be revised to "greatest extent practical practicable" and this cannot be solely the builder's decision.

Action: Trumble will revise language to include criteria and consider soils and buildings.

Action: Malette will check to see if the term “developable” is cross-referenced in zoning ordinances.

There followed a long discussion of the Conservation Subdivision Ordinance and the per cent of the density bonus. Ruth Jones suggested this topic be put forward at the public input session this month. The group wanted to join 30.4.2 and density bonus language. The preservation of prime soils on single lots is a topic to be discussed later by this committee or subsequent commission.

The Agricultural Commission warrant article came up next. In the first paragraph the language should begin with “The Town shall establish...” Other language changes were recommended and reference made to state statute. According to Munn the composition of this commission should follow the RSAs for the establishment of a Conservation Commission. He said that some of the stipulations in Weare’s draft were not within the prerogative of the Agricultural Committee to require.

Action: Hague will make suggested corrections and send to members.

The Right to Farm article required fewer corrections. Munn said that RSAs should be cited in the long and short forms, along with the names that identify them. Further, we should review the RSAs we include to make sure they are relevant. A new preface was recommended. He suggested that the town attorney read our draft.

Action: Hague will retype the article and send out the RSAs for committee members to review.

The meeting adjourned at 6:30 PM sharp. Next meeting will be the 16th of October at 5 PM in the library’s Sawyer Room.

Respectfully submitted,

Christine Hague

Enclosure: Cluster Development Draft 10_3_07